



Plat Alterations

Handout #42 Revised 2/23/06

What is Plat Alteration?

Plat Alteration applications are required if the property owner wants to make any change to a recorded short plat or subdivision. There are some exemptions to this requirement such as cemeteries and burial plots and land divisions created by government actions or court actions. [See Clark County Code (CCC) Section 40.540.020B1 for a complete list of exemptions].

What are the approval criteria for a plat alteration?

The approval criteria for a plat alteration include:

1. If a restrictive covenant exists, the plat alteration must be in public interest;
2. The approval criteria under CCC Section 40.540.040D (Approval criteria for a preliminary plat application), as applicable to the proposed plat alteration, is met; and,
3. The approval will not result in the violation of any requirements of the original approval, unless conditions necessitating such requirements have changed since the original plat was recorded.

Are there any limitations the applicant should be aware of?

Yes. These are:

1. Applicant should obtain the signature of all parties included in the restrictive covenant, if any, agreeing to alter or revoke the covenants specified in the application.
2. If any land within the alteration contains a dedication to the general use of persons residing within the subdivision, such land may be altered and divided equitably between the adjacent properties; and
3. Blanket utility easements existing along the lot lines, but not specifically required as a condition of development approval, may be moved during a boundary line adjustment; PROVIDED, there is compliance with Revised Code of Washington (RCW) 64.04.175 and the easement is not occupied by a utility.

What is the review process?

A plat alteration will be processed as a Type II or Type III review. Plat alterations shall be considered a Type II unless a public hearing is requested by any person within twenty-one (21) days from the date the public comment period began, or if the department determines that the public hearing is within the public interest. Property owners within 300' (Urban) or 500' (Rural) are notified by mail for the public hearing.

If a public hearing is not requested for a proposed alteration, the planning director is delegated the authority to review and approve, approve with conditions or deny the application for preliminary approval. The final revised drawing or

other alteration, if approved, shall be signed by the legislative body without a public hearing. Clark County Community Development

What is a Type II Review Process?

A Type II review process, which requires a ministerial decision by the Planning Director. In making the decision, the Director must determine if the proposed development meets the requirements of the applicable sections of the Clark County Code (CCC). This decision is made after reviewing the proposal and considering written comments received from the public. The Planning Director will approve, approve with conditions, or deny the application. This decision may be appealed to the County Hearing Examiner.

What is a Type III Review Process?

A Type III review process requires a public hearing before the County Hearing Examiner. In making the decision, the Hearing Examiner must determine if the proposed subdivision meets the requirements of the applicable sections of the Clark County Code (CCC). This decision is made after reviewing the proposal, and after considering staff's recommendation and testimony from the public. The Hearing Examiner will approve, approve with conditions, or deny the application. This decision may be appealed to the Board of County Commissioners.

Is a pre-application conference required?

A pre-application conference is required before submitting a Type II application. The pre-application conference fee is **\$997**. The requirement for a conference may be waived if the Planning Director determines that the proposal is relatively simple. A waiver requires the applicant to submit a completed "Pre-Application Review Waiver Request Form" and fee in the amount of **\$133**.

What is the application process?

The first step is to complete a State Environmental Policy Act (SEPA) environmental checklist, if applicable. The Permit Services staff, located at the Public Services Center, 1300 Franklin Street, 1st Floor, Vancouver, Washington, will assist the applicant in determining if a SEPA checklist is required with the application. The SEPA Review Application Form and Environmental Checklist are available at the Permit Services Center.

The next step is to submit a completed Type II Plat Alteration Application Form, fees and a copy of the submittal requirements to the Permit Services Center.

What if I didn't submit all of the required information?

The County conducts two application checks to ensure that applications are complete before staff begins their development review process. Prior to accepting your application, the Permit Services staff will conduct a "**Counter Complete**" review of your submittal package. This initial review ensures that **all items with a bold underlined space** listed within the plat alteration submittal

requirements have been submitted before accepting your application (see attached submittal list). These include:

1. Cover sheet and table of contents
2. Application Form, signed by majority of interested parties
3. Application Fee
4. Pre-application conference report
5. Developer's GIS Packet Information
6. Narrative
7. Approved plats
8. Covenants/Restrictions/Documentation
9. Proposed revised plat map
10. Documentation of any other interests in the property
11. Submittal copies

Once your application is accepted, the original submittal package is routed to our review staff. Staff conducts a second completeness check, known as the "**Fully Complete**" review. This more detailed review ensures that **all items with a box to the left** listed under the numbered headings of the attached submittal requirements have been submitted.

If required items are missing from your original submittal, you will receive a letter of "**Not Fully Complete**," with a list of the missing items. If you have not submitted the requested information within 30 days of this written request, staff will return your application and refund the application fee, less the processing costs incurred to date.

If all of the submittal requirements have been met, the applicant will be directed to submit five (5) additional copies that contain the revisions and additional information that may have been required to be Fully Complete. Once all Fully Complete copies have been received, you will receive a "Fully Complete" determination letter and be vested on the date you submitted the Fully Complete application.

What is Vesting?

Upon a determination of Fully Complete, your application is vested with the development regulations that are in place at the time the fully complete application was submitted.

Examples:

- 1) An application is submitted on June 1st and determined to be "Fully Complete" on June 25th. The application is vested as of June 1st.
- 2) An application is submitted on June 1st and subsequently determined to be "**Not Fully Complete**" on June 25th. In response, the applicant submits additional information on July 8th. The revised application is subsequently determined to be "Fully Complete" on July 18th (Note: the completeness

decision will be made within 14 calendar days of new submittals). The application is vested as of July 8th, the day the fully complete application was submitted.

To be vested on the date a pre-application is filed (i.e., contingently vested), the following conditions must be met:

- 1) All the required pre-application conference information was submitted on the pre-application submittal date (Note: the Pre-Application Conference Report will indicate whether the application is contingently vested); and,
- 2) A fully complete application for substantially the same proposal was filed within 180 calendar days of the date the County issued the Pre-Application Conference Report.

What kind of public notice is provided?

Within 14 calendar days from the "Fully Complete" date, a notice describing the proposal will be mailed to property owners within a 300' radius (if within an urban growth boundary), and a 500' radius (if outside an urban growth boundary) of the project site and to the applicant.

The notice will invite written comments to be submitted within 14 calendar days of the date of the notice. Copies of any written comments received in a timely manner will be sent to the applicant. The applicant may submit a written response within 14 days from the date the comments are mailed.

What is a SEPA determination?

The State Environmental Policy Act (SEPA) requires that a review of the potential environmental impacts of the proposed subdivision be conducted. County staff and interested agencies will review the site plan application to determine its compliance with applicable Federal, State and County Code. Through this process, a determination will be made as to whether the impacts will be considered as: Non-significance (DNS), mitigated non-significance (MDNS), or significance (DS). For a DNS or MDNS determination, an analysis will be incorporated within the Staff Report & Decision referenced below. If a DS determination is made, the applicant is required to prepare an Environmental Impact Statement (EIS) prior to the County considering the proposed subdivision. The SEPA determination is then published in the Columbian Newspaper.

What is a Staff Report and when will the Decision be made?

Staff's role is to prepare a Staff Report that summarizes their review of the proposal against the requirements of the Clark County Code (CCC). In this report, staff will make a decision to approve, approve with conditions or deny the application. This written report will be mailed to the applicant within 78 calendar days of the "Fully Complete" determination.

Can the decision be appealed?

The Responsible Official's decision may be appealed to the County Hearings Examiner by the applicant or any person or group. An appellant must submit an appeal application and **\$1,021** fee within 14 calendar days after the written notice of the decision is mailed.

After the Preliminary Plat Alteration is approved, what is next?

Within five years of the date of preliminary approval, the applicant may submit an application for final plat approval. This will consist of three (3) copies of the proposed final plat map and mathematical closures to the engineer for review. The engineer forwards a copy to the planning director for action and forwards it to the County Engineer. The county engineer reviews the application for approval and transmission to the County Board. Upon approval the plat is recorded with the County Auditor.

How long do I have before I must begin construction of the development?

Construction shall not start before construction plans have been signed and the final plat survey computations have been approved by the engineer. However, rough grading operations may proceed before the plans are approved by the engineer as long as:

1. A grading plan is submitted separately, along with an application for the grading permit.
2. The grading plan is in conformance with the approved preliminary plan.
3. The grading plan will not be in substantial conflict with the street profiles and drainage structure plans.
4. The grading permit is issued.

The applicant may also post a bond with the Engineer in an amount and with surety and conditions satisfactory to him. (See Clark County Code, Section 17.301.120 for more details)

Note: This handout is not a substitute for county code. For more detailed information, please refer to Clark County Code Section 40/540.120 Alteration and Vacation of Final Plats.

DEVELOPMENT REVIEW TYPE II PLAT ALTERATION APPLICATION SUBMITTAL REQUIREMENTS

The following checklist identifies information to be included with the Application. All items with a bold underlined space (i.e.,) must be submitted before the application will be considered “**Counter Complete**.” All items with a box to the left must be submitted before the application will be determined “**Fully Complete**.” All bulleted items must be submitted, as applicable, but are not a “Fully Complete” requirement. **(Note: The Pre-Application Conference Report will indicate any additional/exempted submittal requirements).**

At the time of application, only **one copy of the main submittal** with original signatures, **shall be submitted and bound by a jumbo clip or rubber band.** One copy of any **special studies** (e.g., wetland, floodplain, etc) **shall also be submitted but bound separately.**

Once the original application contains all the required information, the applicant will be contacted to submit additional copies of the main submittal and any special studies with revisions.

1. **COVER SHEET AND TABLE OF CONTENTS** - Each submittal packet shall contain a cover sheet that contains the project name and applicant's name, address, e-mail address, and phone number. A table of contents, tabs and/or dividers to provide assistance in locating the various requirements shall follow the cover sheet.
2. **APPLICATION FORM** - The application form shall be completed and original signed in ink by the majority of those persons having an ownership interest of lots, tracts, parcels, sites in the subject plat or portion thereof to be altered.
3. **APPLICATION FEE** - The requisite fee for plat alteration review shall accompany the application. The check is to be made payable to "Clark County Community Development".
4. **PRE-APPLICATION CONFERENCE REPORT** – A copy of the “Pre-Application Conference Report” must be submitted.
5. **DEVELOPER’S GIS PACKET INFORMATION** – A copy of the “Developer’s GIS Packet” shall be submitted with the site plan application submittal. This packet is available from the Dept. of GIS, Public Services Center, 1300 Franklin Street, 2nd Floor, Vancouver, WA, for **\$30.00**, and

must be ordered [(360) 397-2391] at least 24 hours prior to pickup. The packet includes the following:

- General Location Map
- Property Information Fact Sheet
- Arterial Roadway, C-Tran Bus Routes, Parks and Trails Map
- Elevation Contours Map
- Photography Map
- Photography Map with Contours
- Zoning Map
- Comprehensive Plan Map
- Water, Sewer and Storm Systems Map
- Soil Type Map
- Environmental Constraints Map
- Quarter Section Map

6. **NARRATIVE** – A written narrative shall be submitted that describes the nature, purpose, and desired effect of the proposed alteration. The narrative will also include an explanation of how the proposed alteration meets or exceeds the applicable approval criteria and standards and any issues raised during the pre-application process.

7. **APPROVED PLATS** – A copy of the recorded plat including 11" x 17" reductions of oversized materials. Current recorded deeds or real estate contracts for each lot to be altered.

8. **COVENANTS/RESTRICTIONS/DOCUMENTATION** – All existing covenants or restrictions and/or easements that apply to the property must be submitted (*available from a Title Company*). Documentation from any person, utility, company or other entity having a vested interest in any easement proposed to be altered that they agree to the alteration.

9. **PROPOSED REVISED PLAT MAP** – The proposed plan shall be drawn to a minimum engineer's scale of 1" = 200' on a sheet no larger than 24" x 36". One reduced copy (maximum size 11"X17") shall be submitted. The following information shall be clearly depicted on the proposed site plan:

GENERAL INFORMATION

- ☐ Applicant's name, mailing address and phone number;
- ☐ Owner's name and mailing address;
- ☐ Contact person's name, mailing address, and phone number;
- ☐ North arrow (orientated to the top, left or right of page) scale and date;
- ☐ Proposed name of project (i.e., subdivision or business);
- ☐ Vicinity map covering ¼ mile radius from the development site (not required for rural area plans); and,

- ❑ Area of the site in acres or square feet.

EXISTING CONDITIONS

[On and within one hundred (100) feet of the proposed alteration]

Show the following:

- ❑ Streets.
- ❑ Location(s) of any existing building(s).
- ❑ Locations and width of existing easements for access, drainage, utilities, etc, if not already on the plat.
- ❑ Location and width of existing driveways.

10. DOCUMENTATION OF OTHER INTERESTS:

Documentation from any person, utility, company or other entity having a vested interest in any easement proposed to be altered or vacated that they agree to the alteration or vacation.

11. SUBMITTAL COPIES:

____ One copy of the main submittal, bound by a jumbo clip or rubber band with original signatures.

When all required information is submitted with the original application, the applicant will be directed to submit five (5) additional individually bound copies of the main submittal, including copies of the “Developer’s GIS Packet”. These copies must contain any revisions or additional information required in the Fully Complete review, and bound using jumbo clips, stapled, comb or spiral binding, etc.

PLAT ALTERATION REVIEW FEE SCHEDULE
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The following fees are required for submittal of a Plat Alteration application. These fees are to be paid at the time of application.

Review Fee:	\$1,771
If hearing is requested, additional fee required:	\$1,771

**Community Development Department
1300 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: www.clark.wa.gov**



ADA COMPLIANCE PROGRAM:

For an alternate format, contact the Clark County
ADA Compliance Office, V (360) 397-2375-2025; TTY
(360) 397- 2445; E-Mail: ADA@clark.wa.gov